

Senate Study Bill 1192 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON SMITH)

A BILL FOR

1 An Act relating to computer software verification requirements
2 for certain service contracts.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8.47, subsection 1, Code 2019, is amended
2 by adding the following new paragraph:

3 NEW PARAGRAPH. *d.* For service contracts in excess of
4 one hundred thousand dollars, methods to prevent abuse and
5 overbilling by verifying hours worked on computers pursuant to
6 the requirements of section 8.48.

7 Sec. 2. NEW SECTION. **8.48 Service contracts — computer**
8 **software verification requirements.**

9 1. A service contract subject to the requirements of this
10 section shall include terms and conditions established pursuant
11 to section 8.47 requiring the service contract provider to use
12 computer software obtained from an independent entity by the
13 service contract provider to verify hours billed for work under
14 the contract that are performed using a computer. In addition,
15 the service contract shall also provide that the department
16 or establishment will not pay for hours worked on a computer
17 unless those hours are verifiable by the software or by data
18 collected by the software.

19 2. The computer software required by this section shall do
20 all of the following:

21 *a.* Permit the department or establishment to have real-time
22 or retroactive access to data collected or provided by the
23 software.

24 *b.* Automatically gather verification data of state-funded
25 activity by tracking total keystroke and mouse-event or
26 trackpad usage frequency and taking a screenshot at least once
27 every three minutes.

28 *c.* Provide to the department or establishment automated
29 real-time cost status of each task of the service contract.

30 *d.* Provide to the department or establishment professional
31 biographical information.

32 *e.* Protect, consistent with state law, disclosures of
33 confidential data on individuals.

34 *f.* Permit the department or establishment to provide
35 immediate feedback on work in progress.

3. Data collected by the computer software shall be considered accounting records of the service contract provider. Data collected shall be maintained by the service contract provider for a period of seven years and shall be provided to the department or establishment that entered into the service contract, at no charge, upon request.

7	EXPLANATION
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8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill provides that certain service contracts shall
11 include terms and conditions requiring the use of computer
12 software to track hours worked on the contract.

13 Code section 8.47, requiring the department of
14 administrative services to adopt uniform terms and conditions
15 for service contracts, is amended. The bill requires that for
16 service contracts in excess of \$100,000, the contract shall
17 include methods to prevent abuse and overbilling by verifying
18 hours worked on computers pursuant to the requirements of new
19 Code section 8.48 as provided the bill.

20 New Code section 8.48 establishes that service contract
21 terms and conditions established pursuant to Code section
22 8.47 shall require the use of computer software obtained from
23 an independent entity to verify hours billed for work under
24 the contract that are performed using a computer and shall
25 provide that payment on the contract for hours worked on a
26 computer shall be made only if those hours are verifiable
27 by the computer software. The new Code section establishes
28 requirements for the computer software relating to the data
29 and information to be collected, access to the data, and
30 confidentiality. The bill also provides that data collected
31 shall be considered accounting data, shall be maintained
32 for seven years, and shall be provided to the department or
33 establishment that is a party to the agreement upon request,
34 at no cost.